

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JAMES TOMPSON RIGGS,

Plaintiff,

vs.

COMMISSIONER OF SOCIAL
SECURITY, *et al.*,

Defendants.

1:20-cv-00704-AWI-JDP

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS
(ECF No. 4.)

ORDER DISMISSING CASE AS
DUPLICATIVE

James Thompson Riggs (“Plaintiff”) is proceeding without counsel in this social security appeal. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On September 4, 2020, the Magistrate Judge entered findings and recommendations, recommending that this case be dismissed as duplicative of case number 1:20-cv-00940-JDP. (ECF No. 4.) Plaintiff objected on October 2, arguing that he only opened one case and noting that the court misspelled his name. (ECF No. 5.)

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 304, this court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and proper analysis. For whatever reason, it appears that two identical Social Security appeals have been opened in this district, both in the name of James Thompson Riggs, a resident of 1602 General Avenue in

1 Dos Palos. Because Plaintiff's application to proceed *in forma pauperis* in the other case (No.
2 1:20-cv-00940-JDP) has been granted, the Court will close this case and allow the other to
3 continue. The misspellings of Plaintiff's name appear to have been a typographical error.

4 Accordingly, THE COURT HEREBY ORDERS that:

- 5 1. The findings and recommendations entered by the Magistrate Judge on September
6 4, 2020, are adopted in full;
- 7 2. This case is dismissed without prejudice; and
- 8 3. The Clerk is directed to close this case.

9
10 IT IS SO ORDERED.

11 Dated: October 8, 2020


12 SENIOR DISTRICT JUDGE